

IGNACIA S. MORENO
Assistant Attorney General

KEVIN W. McARDLE (D.C. Bar. No. 454569)
United States Department of Justice
Environment and Natural Resources Division
Wildlife & Marine Resources Section
601 D Street, NW, Third Floor
Washington, DC 20004
Tele: (202) 305-0219
Fax: (202) 305-0275
kevin.mcardle@usdoj.gov

Attorneys for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

AUDUBON SOCIETY OF PORTLAND and
WILLAMETTE RIVERKEEPER,

Plaintiffs,

v.

NATIONAL MARINE FISHERIES SERVICE and
UNITED STATES ARMY CORPS OF ENGINEERS,

Defendants,

and

PORT OF PORTLAND,

Defendant-Intervenor

)
)
) No. 3:11-cv-00494-HU
)

**STIPULATION OF DISMISSAL
WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), all parties hereby stipulate to the dismissal of the above-captioned action with prejudice, with each party to bear its own costs, expenses, and attorney fees.

DATED: November 16, 2011

Respectfully submitted,

/s/ Daniel J. Rohlf
Daniel J. Rohlf
Pacific Environmental Advocacy Center
10015 SW Terwilliger Boulevard
Portland, OR 97219
(503) 768-6707
Fax: 503 768-6671
rohlf@lclark.edu

Attorney for Plaintiff

IGNACIA S. MORENO
Assistant Attorney General

/s/ Kevin W. McArdle
KEVIN W. McARDLE, Trial Attorney
United States Department of Justice
Environment & Natural Resources Division
Wildlife & Marine Resources Section
Benjamin Franklin Station, P.O. Box 7369
Washington, D.C. 20044-7369
(202) 305-0219
Kevin.McArdle@usdoj.gov

Attorneys for Defendants

/s/ Beverly C. Pearman
Beverly C. Pearman
Stoel Rives LLP
900 SW 5th Avenue
Suite 2600
Portland, OR 97204
(503) 224-3380
Fax: (503) 220-2480
Email: bcpearman@stoel.com

Attorneys for Defendant-Intervenor